

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In Re:)	
)	
Kristle M. Hembrick,)	In Bankruptcy (Chapter 7)
)	
Debtor.)	Case No. 10-31409-KRH
)	
)	
Dominion Credit Union,)	Adversary Proceeding
)	No. 10-03099-KRH
Plaintiff,)	
)	
v.)	
)	
Kristle M. Hembrick,)	
)	
Defendant.)	

LIST OF STIPULATIONS

Comes now, Dominion Credit Union, Plaintiff, in accordance with the Pre-Trial Order in this Adversary Proceeding, lists its stipulations as follows:

1. Stipulation One: On or about March 21, 2006 Defendant applied for and signed a Loanliner Open-End Voucher and Security Agreement with Plaintiff (hereinafter referred to as “the Loan”), secured by a 2004 Ford F350 pickup (VIN: 1FTWW32P84EE00952) (hereinafter referred to as “the Vehicle”).

2. Stipulation Two: On or about March 31, 2006 Plaintiff produced a check made payable to Defendant, Kristle M. Hembrick, and Chambers Auto in the amount of \$30,195.00.

3. Stipulation Three: Defendant was informed that the Vehicle was at Chambers Auto

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by Michael Chambers.

4. Stipulation Four: Defendant knew Michael Chambers for about ten years prior to the purchase of the Vehicle.

5. Stipulation Five: Defendant and Michael Chambers are now boyfriend-girlfriend, and may be engaged to be married.

6. Stipulation Six: On or about April 28, 2006 Plaintiff perfected the lien on the Vehicle.

7. Stipulation Seven: The Loan became in default due to failure to make payments.

8. Stipulation Eight: Beginning in August, 2006, Plaintiff made several attempts to repossess the Vehicle, but was advised by Defendant that the Vehicle was not in her possession, at a place not known by her.

9. Stipulation Nine: On or about August 16, 2006 a Repossession Order was placed by Plaintiff for repossession of the Vehicle.

10. Stipulation Ten: On or about August 29, 2006 Pritchard Bros., Inc. invoiced Plaintiff for attempting to repossess the Vehicle.

11. Stipulation Eleven: On or about October 30, 2006 Pritchard Bros., Inc. invoiced Plaintiff for attempting to repossess the Vehicle.

12. Stipulation Twelve: On or about December 21, 2006 Pritchard Bros., Inc. invoiced Plaintiff for attempting to repossess the Vehicle.

13. Stipulation Thirteen: On July 16, 2007 an Order was entered in the City of Richmond Circuit Court for default judgment against Defendant in favor of Plaintiff.

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14. Stipulation Fourteen: After Defendant filed her bankruptcy petition, Plaintiff's counsel made demand upon Defendant's counsel for return of the Vehicle. Demand was made on April 22, 2010. The Vehicle was eventually delivered to Plaintiff's agent, Pritchard Bros., Inc., on or about May 27, 2010.

15. Stipulation Fifteen: On or about May 27, 2010 Pritchard Bros., Inc. completed a Condition Report for Plaintiff for the Vehicle, which accurately reflected the condition of the Vehicle.

16. Stipulation Sixteen: On or about June 30, 2010 Plaintiff mailed to Defendant's counsel, by certified and regular mail, a letter detailing the application of proceeds from the sale of the Vehicle.

17. Stipulation Seventeen: The value of the vehicle on or about August 2006 was approximately \$35,000.00.

18. Stipulation Eighteen: The value of the vehicle on or about June 2010 was approximately \$4,800.00.

19. Stipulation Nineteen: Defendant claims to have not known the location of the Vehicle from shortly after the purchase of the Vehicle until the return of the Vehicle to Plaintiff's agent, Pritchard Bros., Inc., on or about May 27, 2010.

/s/ Edward S. Whitlock, III, Esquire
Counsel for Dominion Credit Union

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CERTIFICATE

I hereby certify that on the 1st day of October, 2010 a true copy of the foregoing List of Stipulations, was endorsed and/or served upon all necessary parties pursuant to Local Bankruptcy Rule 5005-1(C)(8) by mail to: Clinton M. Davis, Esquire, Attorney for Debtor, at Clinton Davis, Esq., LLC, 11900 Chester Village Drive, Chester, Virginia 23831; Kristle M. Hembrick, Debtor, at her last known address of 5615 Heatherhill Drive, Richmond, Virginia 23234; and Roy M. Terry, Jr., Trustee, at DuretteBradshaw, P.L.C., P.O. Box 2188, Richmond, Virginia 23218-2188.

/s/ Edward S. Whitlock, III, Esquire
Counsel for Dominion Credit Union

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